

THURSDAY, APRIL 7, 2016

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Stephen Brannon, Youth Minister, Faith Baptist Church, Bartlett, TN.

Representative Lollar led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Lundberg; military service

Representative Sparks

Representative Terry; illness

Representative Spivey

PRESENT IN CHAMBER

Reps. M. Hill and Todd were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 718 Rep. Butt as prime sponsor.

House Bill No. 1830 Reps. Zachary, Todd and McManus as prime sponsors.

House Bill No. 1892 Reps. Reedy, Zachary, DeBerry, Rogers, Butt, Goins, Johnson, Miller as prime sponsors.

House Bill No. 1911 Rep. Hardaway as prime sponsor.

House Bill No. 1981 Rep. Hardaway as prime sponsor.

House Bill No. 1982 Rep. Hardaway as prime sponsor.

House Bill No. 2032 Reps. Miller, Todd and Hardaway as prime sponsors.

House Bill No. 2088 Reps. Miller, Dunlap, Todd, Hardaway, M. White, Byrd, Clemmons, Gilmore, Lollar, Goins and Fitzhugh as prime sponsors.

House Bill No. 2116 Reps. Gravitt, Hazlewood, Todd, McManus, Daniel, Miller, M. White and Hardaway as prime sponsors.

House Bill No. 2409 Reps. Todd, Hardaway, Byrd, Eldridge, Holsclaw, Zachary, Towns, M. White, Powers, DeBerry and Parkinson as prime sponsors.

House Bill No. 2576 Reps. Todd, Hardaway, Akbari, Camper and Daniel as prime sponsors.

MESSAGE FROM THE SENATE

April 7, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 510, 697, 700, 720 and 733; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 510** -- General Assembly, Statement of Intent or Position - Supports increasing access to high-speed Internet connections in rural areas. by *Bowling.

Senate Joint Resolution No. 697 -- Memorials, Interns - Lauren Roos Conway. by *Hensley, *Bell.

Senate Joint Resolution No. 700 -- Memorials, Recognition - John Gilliland, Revolutionary War hero. by *Southerland.

Senate Joint Resolution No. 720 -- Memorials, Recognition - Major Lindsey Kyle Faudree. by *Green.

Senate Joint Resolution No. 733 -- Memorials, Recognition - Dr. Earle P. Barron, Jr. by *Crowe.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Lynn was recognized in the Well to honor Collin Ray, Country Musician, on the 25th Anniversary of his first album.

RESOLUTION READ

The Clerk read House Joint Resolution No. 717, adopted March 28, 2016.

House Joint Resolution No. 717 -- Memorials, Recognition - Collin Raye. by *Lynn, *Akbari, *Alexander, *Armstrong, *Beck, *Brooks H, *Brooks K, *Byrd, *Calfee, *Camper, *Carter, *Casada, *Clemmons, *Coley, *Cooper, *Daniel, *DeBerry, *Doss, *Dunlap, *Dunn, *Durham, *Eldridge, *Faison, *Farmer, *Favors, *Fitzhugh, *Forgety, *Gilmore, *Goins, *Gravitt, *Halford, *Hardaway, *Harwell, *Hawk, *Hazlewood, *Hicks, *Hill M, *Hill T, *Holsclaw, *Howell, *Hulsey, *Jenkins, *Jernigan, *Johnson, *Jones, *Kane, *Keisling, *Kumar, *Lamberth, *Littleton, *Lollar, *Love, *Lundberg, *Marsh, *Matheny, *McCormick, *McDaniel, *McManus, *Miller, *Mitchell, *Moody, *Parkinson, *Pitts, *Powell, *Powers, *Ramsey, *Reedy, *Rogers, *Sanderson, *Sargent, *Sexton C, *Sexton J, *Shaw, *Shepard, *Smith, *Sparks, *Spivey, *Stewart, *Swann, *Terry, *Todd, *Towns, *Travis, *Turner, *Van Huss, *Weaver, *White D, *White M, *Williams, *Windle, *Wirgau, *Zachary.

RECOGNITION IN THE WELL

Representative Ragan was recognized in the Well to honor Waverly Mullins, Best of Show in Congressional Medal of Honor art show

RESOLUTION READ

The Clerk read House Joint Resolution No. 687, adopted February 4, 2016.

House Joint Resolution No. 687 -- Memorials, Recognition - Waverly Mullins, Best of Show in Congressional Medal of Honor art show. by *Ragan.

RECOGNITION IN THE WELL

Representative Stewart was recognized in the Well to honor Earl Campbell, retired Nashville Fire Fighter.

RESOLUTION READ

The Clerk read House Joint Resolution No. 549, adopted March 21, 2016.

House Joint Resolution No. 549 -- Memorials, Recognition - Earl Campbell. by *Stewart.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 11, 2016:

House Resolution No. 254 -- Memorials, Interns - David Christopher Portillo. by *Sexton C.

House Resolution No. 255 -- Memorials, Recognition - UT Martin engineering students, SAE Aero Design East competition. by *Holt.

House Joint Resolution No. 890 -- Memorials, Personal Occasion - William "Billy" Isaacs, 85th birthday. by *Matlock.

House Joint Resolution No. 891 -- Memorials, Public Service - Senator William E. "Bill" Brock. by *McCormick, *Harwell, *Hazlewood, *Casada.

House Joint Resolution No. 892 -- Memorials, Recognition - State of Tennessee, 220th anniversary. by *Matheny.

House Joint Resolution No. 893 -- Memorials, Recognition - Jerry Wayne Patton. by *Sanderson.

House Joint Resolution No. 895 -- Memorials, Academic Achievement - Megan Eastep, Salutatorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 896 -- Memorials, Academic Achievement - Brooke Boshers, Valedictorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 897 -- Memorials, Academic Achievement - Molly McKelvy, Valedictorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 898 -- Memorials, Academic Achievement - Grace Johnson, Salutatorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 899 -- Memorials, Public Service - Reggie Bigord. by *McDaniel.

House Joint Resolution No. 900 -- Memorials, Personal Occasion - Flonnie Webb Stephens, 107th birthday. by *Keisling.

House Joint Resolution No. 901 -- Memorials, Heroism - Latise Jones of Macon County. by *Keisling.

House Joint Resolution No. 902 -- Memorials, Academic Achievement - Abi Elizabeth Welch, Valedictorian, Macon County High School. by *Keisling.

House Joint Resolution No. 903 -- Memorials, Academic Achievement - Hunter Mason Dyer, Salutatorian, Macon County High School. by *Keisling.

House Joint Resolution No. 904 -- Memorials, Academic Achievement - Trevell Shipp, Class President, Sheffield High School. by *Akbari.

House Joint Resolution No. 905 -- Memorials, Academic Achievement - Lietza Ortega, Valedictorian, Sheffield High School. by *Akbari.

House Joint Resolution No. 906 -- Memorials, Academic Achievement - Bintou Diallo, Salutatorian, Sheffield High School. by *Akbari.

House Joint Resolution No. 907 -- Memorials, Academic Achievement - Caleb Fair, Salutatorian, Hamilton High School. by *Akbari.

House Joint Resolution No. 908 -- Memorials, Academic Achievement - Shamyia London, Valedictorian, Hamilton High School. by *Akbari.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 11, 2016:

Senate Joint Resolution No. 697 -- Memorials, Interns - Lauren Roos Conway. by *Hensley, *Bell.

Senate Joint Resolution No. 700 -- Memorials, Recognition - John Gilliland, Revolutionary War hero. by *Southerland.

Senate Joint Resolution No. 720 -- Memorials, Recognition - Major Lindsey Kyle Faudree. by *Green.

Senate Joint Resolution No. 733 -- Memorials, Recognition - Dr. Earle P. Barron, Jr. by *Crowe.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 910 -- Public Records - As introduced, specifies that all credit card account numbers and PIN numbers in the possession of the state and local governments are confidential, rather than only those numbers that come from persons doing business with the state or a local government. - Amends TCA Title 10, Chapter 7, Part 5. by *Johnson. (*HB876 by *Dunn)

Senate Bill No. 1745 -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by *Crowe, *Harris, *Hensley, *Kyle, *Niceley. (*HB1707 by *Hardaway, *Casada, *Terry, *Mitchell, *Towns, *McCormick, *Gilmore, *Turner, *Shaw)

Senate Bill No. 1848 -- Elder Abuse - As introduced, revises requirements for criminal background checks in certain health care facilities; convenes working groups on elder abuse by the department of human services, the commission on aging and disability, and the district attorney general conference. - Amends TCA Title 4; Title 33; Title 47; Title 68 and Title 71. by *Gardenhire, *Crowe, *Niceley, *Norris. (*HB1824 by *Carr)

***Senate Bill No. 1859** -- Criminal Procedure - As introduced, includes certain persons convicted of a Class D felony for theft of property or services, if the value of the property or services obtained is \$1,000 or more but less than \$10,000 as an offense that may be expunged from a person's public record. - Amends TCA Title 39 and Title 40. by *Tate, *Harris. (HB2026 by *Love, *Camper, *Favors, *Gilmore)

Senate Bill No. 1971 -- Highway Signs - As introduced, grants the department of transportation exclusive jurisdiction over the design, erection, installation, and maintenance of tourist oriented directional signs ("TODS signs"), including jurisdiction over TODS signs on state highways in incorporated municipalities; requires removal of signs purporting to be TODS signs that were, or are, installed without lawful authorization; requires department to establish TODS permit system and inventory. - Amends TCA Title 54, Chapter 5. by *Tracy. (*HB2064 by *Daniel)

Senate Bill No. 2143 -- Motor Vehicles - As introduced, removes restriction on medium speed vehicles that they must be operated on roads with posted speed limits of 40 mph or less; authorizes vehicles with top speeds over 30 mph to be classified as medium speed vehicles. - Amends TCA Title 55. by *Niceley. (*HB2185 by *Hill T)

Senate Bill No. 2583 -- Annexation - As introduced, authorizes counties and municipalities to amend growth plans as often as necessary. - Amends TCA Title 6, Chapter 58. by *Norris. (*HB2587 by *Todd)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2664 -- Alexandria -- House Local Government Committee

***House Bill No. 2665** -- Baxter -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 7, 2016**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 11, 2016**: House Bills Nos. 2009, 2376, 577, 2103, 2450, 1712, 1915, 1535, 1651, 1503, 1909, House Joint Resolution No. 536, House Bills Nos. 1448, 1471, 2193, 1857, 710, and 2574.

The committee also set the following bills on the **Regular Calendar** for **April 13, 2016**: House Joint Resolutions Nos. 562, 561, House Bills Nos. 1629, 2228, 1689, 1164, Senate Joint Resolution No. 393, House Bills Nos. 2530, 2377, 2030, 2332, House Joint Resolutions Nos. 559, 560, House Bills Nos. 879, 1979, 1100, 2185, 876, 2145, 1121, 2486, 2493, and 1843.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 11, 2016**: House Bill No. 1707, House Joint Resolutions Nos. 688, 519, 520, House Bills Nos. 2655, 2661, 2659, 2639, 2436, 2648, 2654, Senate Joint Resolution No. 102, House Bills Nos. 2660, 2179, 2180, 2181, and 2658.

DELAYED BILLS REFERRED

April 7, 2016

Pursuant to **Rule No. 77**, Senate Joint Resolution No. 510 was referred to the Delayed Bills Committee.

***Senate Joint Resolution No. 510** -- General Assembly, Statement of Intent or Position - Supports increasing access to high-speed Internet connections in rural areas. by *Bowling.

CONSENT CALENDAR

House Resolution No. 245 -- Memorials, Interns - Matthew Bodkins. by *Jernigan, *Windle, *Beck.

House Resolution No. 247 -- Memorials, Academic Achievement - Maria Aguirre, Salutatorian, Oakhaven High School. by *Towns.

House Resolution No. 248 -- Memorials, Academic Achievement - Julie Cao, Valedictorian, Oakhaven High School. by *Towns.

House Resolution No. 250 -- Memorials, Interns - Taylor Ryan Tullos. by *Harwell.

House Resolution No. 251 -- Memorials, Interns - Elizabeth Ashley Clayborne. by *Miller, *Cooper.

House Resolution No. 253 -- Memorials, Personal Occasion - Don and Ann Reeves, 60th anniversary. by *Jernigan.

House Joint Resolution No. 835 -- Memorials, Academic Achievement - Brianna Schock, Salutatorian, Lebanon High School. by *Pody.

House Joint Resolution No. 836 -- Memorials, Academic Achievement - Alexis Bazydola, Valedictorian, Lebanon High School. by *Pody.

House Joint Resolution No. 837 -- Memorials, Sports - Nashville Central Christian Warriors boys' basketball team, 2016 National Christian Homeschool Basketball Champions. by *Pody.

House Joint Resolution No. 838 -- Memorials, Retirement - Don Hamblen. by *Pody.

House Joint Resolution No. 840 -- Memorials, Professional Achievement - Ladia Yates. by *Parkinson.

House Joint Resolution No. 841 -- Memorials, Professional Achievement - Sherkenna Buggs. by *Parkinson.

House Joint Resolution No. 842 -- Memorials, Academic Achievement - Kelian Ortiz-Saucedo, Valedictorian, Douglass High School. by *Parkinson.

House Joint Resolution No. 843 -- Memorials, Academic Achievement - Perla Mena, Salutatorian, Douglass High School. by *Parkinson.

House Joint Resolution No. 844 -- Memorials, Sports - Coach Mack Hawks of Oakland High School. by *Terry.

House Joint Resolution No. 845 -- Memorials, Academic Achievement - Serena Campeau, Valedictorian, Mount Juliet Christian Academy. by *Lynn.

House Joint Resolution No. 846 -- Memorials, Academic Achievement - Carly Hummel, Salutatorian, Mt. Juliet Christian Academy. by *Lynn.

House Joint Resolution No. 847 -- Memorials, Academic Achievement - Morgan Morris, Valedictorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 848 -- Memorials, Academic Achievement - Daja Scurlock, Salutatorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 849 -- Memorials, Academic Achievement - Shelby Wilbanks, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 850 -- Memorials, Interns - Kevin DeWalt, Jr. by *Towns.

House Joint Resolution No. 852 -- Memorials, Public Service - Julius Johnson, Commissioner of Agriculture. by *Harwell, *Halford.

House Joint Resolution No. 853 -- Memorials, Retirement - Mary Sanders. by *Dunlap, *Matheny, *Pitts.

House Joint Resolution No. 854 -- Memorials, Retirement - Betty Wood. by *Dunlap, *Matheny, *Pitts.

House Joint Resolution No. 855 -- Memorials, Retirement - Joye Fuston. by *Dunlap, *Matheny, *Pitts.

House Joint Resolution No. 856 -- Memorials, Death - Cory Wells. by *Kane, *Eldridge.

House Joint Resolution No. 857 -- Memorials, Death - Jimmy Greenspoon. by *Kane, *Eldridge.

House Joint Resolution No. 858 -- Memorials, Sports - Robert Miller, Special Olympics Athlete chosen to participate on Team USA. by *Hicks.

House Joint Resolution No. 859 -- Memorials, Academic Achievement - Parth Harshadkumar Patel, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 860 -- Memorials, Academic Achievement - Dakota D. Ward, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 861 -- Memorials, Academic Achievement - Conner Powell, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 862 -- Memorials, Academic Achievement - Caleb Michael McBride, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 863 -- Memorials, Academic Achievement - Jack Bevill, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 864 -- Memorials, Academic Achievement - Thomas Evan Carney III, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 865 -- Memorials, Academic Achievement - Gabriel Ellison, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 866 -- Memorials, Academic Achievement - Teagan Trent, Top 25 Senior, Cherokee High School. by *Hicks.

THURSDAY, APRIL 7, 2016 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 867 -- Memorials, Academic Achievement - Tanner Graves, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 868 -- Memorials, Academic Achievement - Garrett Carter, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 869 -- Memorials, Academic Achievement - Nicholas Karig, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 870 -- Memorials, Academic Achievement - Carson Gabrielle Sievers, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 871 -- Memorials, Academic Achievement - Sydney Elizabeth Phillips, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 872 -- Memorials, Academic Achievement - Miranda Vanette Evans, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 873 -- Memorials, Academic Achievement - Madison Livesay, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 874 -- Memorials, Academic Achievement - Rebecca Kinsler, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 875 -- Memorials, Academic Achievement - Madison Andrews, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 876 -- Memorials, Academic Achievement - Madison Denny, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 877 -- Memorials, Academic Achievement - Natalie Brooks, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 878 -- Memorials, Academic Achievement - Erika Hale, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 879 -- Memorials, Academic Achievement - Kyleigh Ferguson, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 880 -- Memorials, Academic Achievement - Alissa Jackson, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 881 -- Memorials, Academic Achievement - Brooke Bailey, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 882 -- Memorials, Academic Achievement - Macy Osborne, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 883 -- Memorials, Academic Achievement - Sarah-Kathryn Loudy, Top 25 Senior, Cherokee High School. by *Hicks.

House Joint Resolution No. 884 -- Memorials, Academic Achievement - Logan Malicoat, Valedictorian, Rockwood High School. by *Travis.

House Joint Resolution No. 885 -- Memorials, Academic Achievement - Wester Hicks, Valedictorian, Rockwood High School. by *Travis.

House Joint Resolution No. 886 -- Memorials, Academic Achievement - Lindsey Lively, Salutatorian, Bledsoe County High School. by *Travis.

House Joint Resolution No. 887 -- Memorials, Academic Achievement - Alexis Karlie Harvey, Salutatorian, Sequatchie County High School. by *Travis.

House Joint Resolution No. 888 -- Memorials, Academic Achievement - Brelyn Chase Grant, Valedictorian, Sequatchie County High School. by *Travis.

House Joint Resolution No. 889 -- Memorials, Academic Achievement - Peyton White, Valedictorian, Bledsoe County High School. by *Travis.

Senate Joint Resolution No. 672 -- Memorials, Recognition - Karen Peterson Brukart. by *Hensley, *Bell, *Beavers, *Gresham, *Haile, *Massey, *McNally, *Southerland, *Yager, *Bailey, *Crowe, *Green, *Jackson, *Tracy.

Senate Joint Resolution No. 689 -- Memorials, Recognition - 39th Annual Tennessee State Youth Conference. by *McNally.

Senate Joint Resolution No. 690 -- Memorials, Recognition - Steve E. Moore. by *Tate.

Senate Joint Resolution No. 691 -- Memorials, Retirement - Coach Ted Anderson. by *Tate.

Senate Joint Resolution No. 692 -- Memorials, Recognition - Brad Paisley. by *Johnson, *Beavers.

Senate Joint Resolution No. 693 -- Memorials, Retirement - Daryl Blair. by *Bailey.

Senate Joint Resolution No. 695 -- Memorials, Death - Carmon E. Dugger, Sr. by *Crowe.

Senate Joint Resolution No. 696 -- Memorials, Sports - Chuckey-Doak High School varsity cheerleaders, Universal Spirit All-Star Prep Nationals competitors. by *Southerland.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1479** -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Lamberth. (SB1558 by *Bell)

Further consideration of House Bill No. 1479, previously considered on March 3, 2016 and March 24, 2016, at which time it was reset for today's Calendar.

Rep. Lamberth moved that **House Bill No. 1479** be reset for the last Regular Calendar, which motion prevailed.

***House Bill No. 1632** -- Real Property - As introduced, prohibits a local governmental unit from enacting zoning regulations that require the allocation of a percentage of existing or newly constructed private residential or commercial rental units for long-term retention as affordable or workforce housing. - Amends TCA Title 66, Chapter 35. by *Casada, *Lamberth, *Sexton C, *Daniel, *Durham. (SB1636 by *Haile)

Further consideration of House Bill No. 1632, previously considered on March 10, 2016 and March 24, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 1632 was made to conform with **Senate Bill No. 1636**; the Senate Bill was substituted for the House Bill.

THURSDAY, APRIL 7, 2016 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Casada moved that Senate Bill No. 1636 be passed on third and final consideration.

Rep. McManus moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 1636** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	23

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 72

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Smith, Stewart, Towns, Turner -- 23

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 1636** and have this statement entered in the Journal: Rep. DeBerry.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1911** -- Animal Control - As introduced, authorizes an animal control agency to seize a dog found trespassing on the premises of another if the premises owner finds the dog attacking an animal belonging to such owner, unless the attack occurs in response to an instigation by the premises owner or an animal belonging to the premises owner. - Amends TCA Section 44-8-408. by *Doss, *Casada. (SB1876 by *Johnson, *Ketrone)

Further consideration of House Bill No. 1911, previously considered on March 10, 2016 and March 24, 2016, at which time it was reset for today's Calendar.

THURSDAY, APRIL 7, 2016 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Casada moved that **House Bill No. 1911** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2373** -- Barbers - As introduced, revises the provisions governing the licensure and certification for barbers and cosmetologists. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Parkinson, *Powell. (SB2374 by *Bell)

Rep. Parkinson requested that House Bill No. 2373 be moved down five spaces on today's Calendar, which motion prevailed.

***House Bill No. 1939** -- Election Laws - As introduced, makes various revisions to election laws such as when a deficient voter registration may be corrected, the timing of delivery of poll books and records to the counting board, and prohibiting the appointment of a candidate's spouse on the ballot to serve as a poll watcher. - Amends TCA Section 2-14-202; Section 2-2-109; Section 2-3-204; Section 2-6-303; Section 2-7-104 and Section 2-9-105. by *Wirgau. (SB1945 by *Yager)

On motion, House Bill No. 1939 was made to conform with **Senate Bill No. 1945**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 1945 be passed on third and final consideration.

Rep. Wirgau requested that House Bill No. 1939 be moved down three spaces on today's Calendar, which motion prevailed.

***House Bill No. 2473** -- Recycling - As introduced, increases from 10 to 12 the number of days within which a scrap metal dealer may request a hearing concerning a determination of violation issued by the commissioner of commerce and insurance. - Amends TCA Title 55; Title 62 and Title 68. by *Matheny, *Sexton C. (SB2471 by *Bowling)

Rep. Matheny moved that House Bill No. 2473 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2473 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 3, Part 2, is amended by adding the following language as a new section:

() A motor vehicle dealer's license shall not be required for a person to sell motor vehicles to licensed automotive dismantlers and recyclers, as defined in § 55-17-102, or to registered scrap metal dealers or scrap metal processors, if:

(1) The motor vehicle has been designated by the seller as a nonrepairable vehicle, whether or not such vehicle has been issued a nonrepairable vehicle certificate; and

(2) The motor vehicle is being sold solely for recycling, dismantling, or scrap.

SECTION 2. Tennessee Code Annotated, Section 55-17-102(19), is amended by adding the following language as a new subdivision:

(F) Persons when selling motor vehicles that have been designated by the seller as nonrepairable vehicles, as defined in § 55-3-211, whether or not such vehicles have been issued a nonrepairable vehicle certificate to licensed automotive dismantlers and recyclers, or registered scrap metal dealers or scrap metal processors, solely for recycling, dismantling, or scrap;

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 2473**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy,

Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 2645 -- Jamestown - As introduced, subject to local approval, makes various revisions to the charter of Jamestown, including amending the qualifications of voters, the manner of holding elections, and the administrative organization of the city court. - Amends Chapter 54 of the Private Acts of 1959; as amended. by *Windle, *Keisling. (*SB2680 by *Yager)

Rep. Windle moved that House Bill No. 2645 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2645 by adding the following language after the last sentence in SECTION 7:

These disbursements shall be provided to the Board of Mayor and Aldermen for review at the following regularly scheduled meeting.

AND FURTHER AMEND by deleting SECTION 9 and substituting instead the following:

SECTION 9. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article VI, Section 3, in its entirety and substituting instead the following:

In addition to the offices required by this Charter, the Board may create such offices and positions of employment as deemed necessary for the efficient operation of the City, and shall fix the compensation for offices and positions created. All such offices and positions of employment shall be filled by the Board of Mayor and Aldermen, and all officers and employees shall serve at the will of the Board, subject to the Personnel Policies and Procedures approved by the Board of Mayor and Aldermen. All officers and employees who are authorized to receive or to have custody of public funds shall give bond acceptable to and in an amount to be determined by the Board. The cost of bonds of officers and employees may be made an expense of the City, and instead of individual bonds, a blanket bond may be used. All officers, whether their offices are provided by this Charter, or the Board, shall before entering upon the duties of office, take oath required of the Mayor and Aldermen. In the temporary absence of any officer other than Aldermen, the Mayor shall appoint some qualified person to serve temporarily.

AND FURTHER AMEND by deleting the word "There" from SECTION 10 and substituting instead the word "They".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Windle moved that **House Bill No. 2645**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***Senate Bill No. 1945** -- Election Laws - As introduced, makes various revisions to election laws such as when a deficient voter registration may be corrected, the timing of delivery of poll books and records to the counting board, and prohibiting the appointment of a candidate's spouse on the ballot to serve as a poll watcher. - Amends TCA Section 2-14-202; Section 2-2-109; Section 2-3-204; Section 2-6-303; Section 2-7-104 and Section 2-9-105. by *Yager. (HB1939 by *Wirgau)

Further consideration of House Bill No. 1939, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, and it was reset for today's Calendar.

Rep. Wirgau moved that **Senate Bill No. 1945** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	6
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Swann, Towns, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 84

THURSDAY, APRIL 7, 2016 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Clemmons, Hardaway, Mitchell, Powell, Stewart, Turner -- 6

Representatives present and not voting were: Camper, Gilmore -- 2

A motion to reconsider was tabled.

***House Bill No. 1720** -- Workers Compensation - As introduced, requires the administrator of the bureau of workers' compensation to assess a civil penalty against any workers' compensation payor who violates certain disclosure and payment requirements related to rental and assignment of PPO network rights. - Amends TCA Title 50, Chapter 6. by *White M. (SB1758 by *Green)

On motion, House Bill No. 1720 was made to conform with **Senate Bill No. 1758**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 1758 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 1758** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

***House Bill No. 2373** -- Barbers - As introduced, revises the provisions governing the licensure and certification for barbers and cosmetologists. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Parkinson, *Powell. (SB2374 by *Bell)

Further consideration of House Bill No. 2373, previously considered on today's Calendar.

Rep. Parkinson moved that **House Bill No. 2373** be reset for the Regular Calendar on April 13, 2016, which motion prevailed.

3533

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

***House Bill No. 1711** -- Traffic Safety - As introduced, establishes categories of, and equipment and manufacturing standards for, electric bicycles; authorizes use of electric bicycles on routes designated for use of bicycles; excludes electric bicycles from definition of "motor vehicle"; excludes electric bicycles from driver licensing, insurance, registration, and other requirements applicable to motor vehicles. - Amends TCA Section 54-10-111; Section 54-5-142; Section 54-5-211 and Title 55. by *Smith. (SB1705 by *Briggs, *Yarbro)

On motion, House Bill No. 1711 was made to conform with **Senate Bill No. 1705**; the Senate Bill was substituted for the House Bill.

Rep. Smith moved that Senate Bill No. 1705 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Smith moved that **Senate Bill No. 1705** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1406** -- Veterinarians - As introduced, deletes requirement that veterinary facilities located in retail establishments have an entrance that is directly on a public street or parking area. - Amends TCA Title 63, Chapter 12. by *Casada. (SB1429 by *Bell, *Crowe, *Niceley)

On motion, House Bill No. 1406 was made to conform with **Senate Bill No. 1429**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 1429 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

THURSDAY, APRIL 7, 2016 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Casada moved that **Senate Bill No. 1429** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

Representatives voting no were: Jones, Shaw -- 2

A motion to reconsider was tabled.

***House Bill No. 2409** -- Education, Higher - As introduced, clarifies that, after a change in ownership of a postsecondary proprietary institution, the new owner has 10 business days instead of 10 days to apply to THEC for authorization to operate. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Casada. (SB2447 by *Johnson)

On motion, House Bill No. 2409 was made to conform with **Senate Bill No. 2447**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 2447 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 2447** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Shaw -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2447** and have this statement entered in the Journal: Rep. Parkinson.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2116** -- Domestic Violence - As introduced, prohibits a landlord from evicting victims of domestic abuse, minor children, and innocent occupants when domestic abuse is the underlying reason for terminating a lease. - Amends TCA Title 29; Title 36 and Title 66. by *McCormick, *Gilmore, *Favors. (SB2592 by *Norris)

Rep. McCormick moved that House Bill No. 2116 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2116 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 66-28-517, is amended by adding the following language as a new subsection (g):

(1) If domestic abuse, as defined in § 36-3-601, is the underlying offense for which a tenancy is terminated, only the perpetrator may be evicted. The landlord shall not evict the victims, minor children under eighteen (18) years of age, or innocent occupants, any of whom occupy the subject premises under a lease agreement, based solely on the domestic abuse. Even if evicted or removed from the lease, the perpetrator shall remain financially liable for all amounts due under all terms and conditions of the present lease agreement.

(2) If a lease agreement is in effect at the time that the domestic abuse is committed, the landlord may remove the perpetrator from the lease agreement and require the remaining adult tenants to qualify for and enter into a new agreement for the remainder of the present lease term. The landlord shall not be responsible for any and all damages suffered by the perpetrator due to the bifurcation and termination of the lease agreement in accordance with this section.

(3) If domestic abuse, as defined in § 36-3-601, is the underlying offense for which tenancy could be terminated, the victim and all adult tenants shall agree, in writing, not to allow the perpetrator to return to the subject premises or any part of the community property, and to immediately report the perpetrator's return to the proper authority, for the remainder of the tenancy. A violation of such agreement shall be cause to terminate tenancy as to any victim and all other tenants.

(4) The rights under this section shall not apply until the victim has been judicially granted an order of protection against the perpetrator for the specific incident for which tenancy is being terminated, a copy of such order has been provided to the landlord, and the order:

(A) Provides for the perpetrator to move out or vacate immediately;

(B) Prohibits the perpetrator from coming by or to a shared residence;

(C) Requires that the perpetrator stay away from the victim's residence; or

(D) Finds that the perpetrator's continuing to reside in the rented or leased premises may jeopardize the life, health, and safety of the victim or the victim's minor children.

(5) Failure to comply with this section, or dismissal of an order of protection that allows application of this section, abrogates the rights provided to the victim, minor children, and innocent occupants under this section.

(6) The rights granted in this section shall not apply in any situation where the perpetrator is a child or dependent of any tenant.

(7) Nothing in this section shall prohibit the eviction of a victim of domestic abuse for non-payment of rent, a lease violation, or any violation of this chapter.

SECTION 2. Tennessee Code Annotated, Section 66-7-109, is amended by adding the following language as new subsections:

(e)

(1) If domestic abuse, as defined in § 36-3-601, is the underlying offense for which a tenancy is terminated, only the perpetrator may be evicted. The landlord shall not evict the victims, minor children under eighteen (18) years of age, or innocent occupants, any of whom occupy the subject premises under a lease agreement, based solely on the domestic abuse. Even if evicted or removed from the lease, the

perpetrator shall remain financially liable for all amounts due under all terms and conditions of the present lease agreement.

(2) If a lease agreement is in effect, the landlord may remove the perpetrator from the lease agreement and require the remaining adult tenants to qualify for and enter into a new agreement for the remainder of the present lease term. The landlord shall not be responsible for any and all damages suffered by the perpetrator due to the bifurcation and termination of the lease agreement in accordance with this section.

(3) If domestic abuse, as defined in § 36-3-601, is the underlying offense for which tenancy could be terminated, the victim and all adult tenants shall agree, in writing, not to allow the perpetrator to return to the subject premises or any part of the community property, and to immediately report the perpetrator's return to the proper authority, for the remainder of the tenancy. A violation of such agreement shall be cause to terminate tenancy as to the victim and all other tenants.

(4) The rights under this section shall not apply until the victim has been judicially granted an order of protection against the perpetrator for the specific incident for which tenancy is being terminated, a copy of such order has been provided to the landlord, and the order:

(A) Provides for the perpetrator to move out or vacate immediately;

(B) Prohibits the perpetrator from coming by or to a shared residence;

(C) Requires that the perpetrator stay away from the victim's residence; or

(D) Finds that the perpetrator's continuing to reside in the rented or leased premises may jeopardize the life, health, and safety of the victim or the victim's minor children.

(5) Failure to comply with this section, or dismissal of an order of protection that allows application of this section, abrogates the rights provided to the victim, minor children, and innocent occupants under this section.

(6) The rights granted in this section shall not apply in any situation where the perpetrator is a child or dependent of any tenant.

(7) Nothing in this section shall prohibit the eviction of a victim of domestic abuse for non-payment of rent, a lease violation, or any violation of this chapter.

(f) Nothing in this section shall apply to rental property located in any county governed by the Uniform Residential Landlord and Tenant Act, compiled in title 66, chapter 28.

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. McCormick moved that **House Bill No. 2116**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2116** and have this statement entered in the Journal: Rep. Van Huss.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Matlock

SPECIAL ORDER

Without objection, Rep. Dunn moved the House take up House Bill No. 1477 out of order, out of order at this time as follows:

***House Bill No. 1477** -- Local Education Agencies - As introduced, requires, beginning with the 2017-2018 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses. - Amends TCA Title 49. by *Brooks H, *Calfee, *Hardaway. (SB1653 by *Tracy)

Further consideration of House Bill No. 1477, previously considered on March 31, 2016, at which time it was reset for today's Calendar.

Rep. H. Brooks moved that House Bill No. 1477 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1477 by deleting the first sentence in the amendatory language of SECTION 1 and substituting instead:

Beginning with the 2017-2018 school year, every LEA shall make available to students enrolled in its high schools opportunities to take, prior to graduation from high school, at least six (6) early postsecondary credit courses, including Advanced Placement, International Baccalaureate, or dual credit courses. For the purposes of this section, early postsecondary credit courses do not include courses taken through a dual enrollment program as defined in § 49-15-102(3).

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. H. Brooks moved that **House Bill No. 1477**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1982** -- Controlled Substances - As introduced, removes board certification by the American board of interventional pain physicians as a path to becoming a pain management specialist for pain management clinics after June 30, 2016. - Amends TCA Title 63, Chapter 1, Part 3. by *Ramsey, *Dunn, *Lollar. (SB2057 by *Briggs, *Haile, *Yager)

On motion, House Bill No. 1982 was made to conform with **Senate Bill No. 2057**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 2057 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 2057** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 1981 -- Criminal Offenses - As introduced, creates the Class E felony offense of manufacturing marijuana concentrate by a process which uses an inherently hazardous substance like butane; creates Class A misdemeanor of owner of premises knowingly allowing the process to occur on the premises; makes manufacturing marijuana concentrate by a process which uses a hazardous substance when a child is present child abuse. - Amends TCA Title 39, Chapter 15, Part 4 and Title 39, Chapter 17, Part 4. by *Ramsey, *Swann. (*SB1586 by *Overbey, *Beavers, *Bowling)

Rep. Ramsey moved that House Bill No. 1981 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1981 by deleting SECTION 2 and renumbering the effective date section accordingly.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Ramsey moved that **House Bill No. 1981**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative H. Brooks

REGULAR CALENDAR, CONTINUED

House Bill No. 1972 -- Auditing - As introduced, establishes the position of executive internal auditor and gives the position various responsibilities related to internal audits of executive branch agencies. - Amends TCA Title 4; Title 8 and Title 9. by *Ramsey. (*SB1741 by *Yager, *Bailey, *Bowling, *Yarbro)

On motion, House Bill No. 1972 was made to conform with **Senate Bill No. 1741**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 1741 be passed on third and final consideration.

Rep. Littleton moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 1741** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2576** -- Sentencing - As introduced, enacts the "Public Safety Act of 2016." - Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13, Part 1; Title 39, Chapter 14, Part 1; Title 40, Chapter 28; Title 40, Chapter 35 and Title 41, Chapter 1, Part 4. by *McCormick, *Brooks K, *Lamberth. (SB2567 by *Norris, *Kelsey, *Overbey)

Rep. Lamberth moved that House Bill No. 2576 be passed on third and final consideration.

Rep. Van Huss moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2576 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Public Safety Act of 2016."

SECTION 2. Tennessee Code Annotated, Section 36-3-602, is amended by adding the following language as a new subsection (c) and renumbering the remaining subsection accordingly:

(c)

(1) A temporary order of protection shall be issued against a respondent pursuant to § 36-3-605 if, at the respondent's initial appearance following an arrest for a crime involving domestic abuse, the court finds there is probable cause to believe the respondent either:

(A) Caused serious bodily injury to the alleged domestic abuse victim; or

(B) Used or displayed a deadly weapon.

(2) The alleged domestic abuse victim does not need to be present at the time the temporary order of protection is issued.

(3) A hearing on whether the temporary order of protection should be dissolved, extended, or modified shall be held within fifteen (15) days of service of the temporary order of protection upon the respondent, and the procedures set forth in § 36-3-605 shall apply.

(4) The temporary order of protection may include any relief available under an ex parte order of protection issued pursuant to § 36-3-605.

SECTION 3. Tennessee Code Annotated, Section 36-3-619, is amended by adding the following language as a new, appropriately designated subsection:

(1) For good cause shown, the court may issue an ex parte order of protection pursuant to § 36-3-605 upon a sworn petition filed by a law enforcement officer responding to an incident of domestic abuse who asserts in the petition reasonable grounds to believe that a person is in immediate and present danger of abuse, as defined in § 36-3-601, and that the person consents to the filing; provided, that the person on whose behalf the law enforcement officer seeks the ex parte order of protection shall be considered the petitioner for purposes of this part.

(2) The law enforcement officer may seek on behalf of the person the ex parte order regardless of the time of day and whether or not an arrest has been made.

(3) If an ex parte order is issued pursuant to this section outside of the issuing court's normal operating hours:

(A) The law enforcement officer, judge, or judicial official shall cause the petition and order to be filed with the court as soon as practicable after issuance; and

(B) The law enforcement officer shall make a good faith effort to notify the person on whose behalf the petition was filed and provide the person with a copy of the ex parte order.

(4) The court shall cause a copy of the petition, a notice of the date set for the hearing, and a copy of the ex parte order of protection to be served upon the respondent in accordance with § 36-3-605(c). A hearing on whether or not the ex parte order of protection should be dissolved, extended, or modified shall be held within fifteen (15) days of service of the order on the respondent, and the procedures set forth in § 36-3-605 shall apply.

(5) The law enforcement officer filing a petition under this section shall not be subject to civil liability for any statement made or act performed in filing the petition, if done in good faith.

SECTION 4. Tennessee Code Annotated, Section 39-13-111(c)(3), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(3) A third or subsequent conviction for domestic assault committed in a manner prohibited by § 39-13-101(a)(1) is punishable by a fine of not less than one thousand one hundred dollars (\$1,100) nor more than five thousand dollars (\$5,000), and by confinement in the county jail or workhouse for not less than ninety (90) consecutive days, nor more than eleven (11) months and twenty-nine (29) days; provided, however, that if the domestic assault victim's relationship with the defendant falls within the categories defined in subdivision (a)(1) or (a)(3), or the victim is the minor child of any person in such categories, and the defendant has at least two (2) prior convictions for domestic assault committed in a manner prohibited by § 39-13-101(a)(1) prior to or at the time of committing the offense, the offense is a Class E felony, with a mandatory confinement of not less than ninety (90) consecutive days in the county jail or workhouse.

SECTION 5. Tennessee Code Annotated, Section 39-14-105(a), is amended by deleting the subsection in its entirety and substituting instead the following language:

(a) Theft of property or services is:

(1) A Class A misdemeanor if the value of the property or services obtained is one thousand dollars (\$1,000) or less;

(2) A Class E felony if the value of the property or services obtained is more than one thousand dollars (\$1,000) but less than two thousand five hundred dollars (\$2,500);

(3) A Class D felony if the value of the property or services obtained is two thousand five hundred dollars (\$2,500) or more but less than ten thousand dollars (\$10,000);

(4) A Class C felony if the value of the property or services obtained is ten thousand dollars (\$10,000) or more but less than sixty thousand dollars (\$60,000);

(5) A Class B felony if the value of the property or services obtained is sixty thousand dollars (\$60,000) or more but less than two hundred fifty thousand dollars (\$250,000); and

(6) A Class A felony if the value of the property or services obtained is two hundred fifty thousand dollars (\$250,000) or more.

SECTION 6. Tennessee Code Annotated, Section 40-35-104(c)(8)(B), is amended by deleting the language "one thousand dollars (\$1,000)" and substituting instead the language "two thousand five hundred dollars (\$2,500)".

SECTION 7. Tennessee Code Annotated, Section 40-35-207(a), is amended by deleting subdivisions (9) and (10) and substituting instead the following language:

(9) Information to assist the court in deciding whether to sentence an eligible defendant to an available and appropriate community-based alternative to incarceration as provided in chapter 36 of this title and in imposing the terms and conditions for any such sentence;

(10) The results of the validated risk and needs assessment; and

(11) Any other matters the court directs to be included.

SECTION 8. Tennessee Code Annotated, Section 40-35-207, is amended by adding the following as a new subsection:

(d) As used in this section, "validated risk and needs assessment" means a determination of a person's risk to reoffend and the needs that, when addressed, reduce the risk to reoffend through the use of an actuarial assessment tool designated by the department that assesses the dynamic and static factors that drive criminal behavior.

SECTION 9. Tennessee Code Annotated, Section 40-35-210(b), is amended by deleting the subsection in its entirety and substituting instead the following language:

(b) To determine the specific sentence and the appropriate combination of sentencing alternatives that shall be imposed on the defendant, the court shall consider the following:

(1) The evidence, if any, received at the trial and the sentencing hearing;

- (2) The presentence report;
- (3) The principles of sentencing and arguments as to sentencing alternatives;
- (4) The nature and characteristics of the criminal conduct involved;
- (5) Evidence and information offered by the parties on the mitigating and enhancement factors set out in §§ 40-35-113 and 40-35-114;
- (6) Any statistical information provided by the administrative office of the courts as to sentencing practices for similar offenses in Tennessee;
- (7) Any statement the defendant wishes to make on the defendant's own behalf about sentencing; and
- (8) The result of the validated risk and needs assessment conducted by the department and contained in the presentence report.

SECTION 10. Tennessee Code Annotated, Section 40-35-210(f), is amended by deleting the subsection in its entirety and substituting instead the following language:

A sentence must be based on evidence in the record of the trial, the sentencing hearing, the presentence report, the validated risk and needs assessment, and the record of prior felony convictions filed by the district attorney general with the court, as required by § 40-35-202(a).

SECTION 11. Tennessee Code Annotated, Section 40-35-311, is amended by adding the following language as a new subsection:

(f) The court shall direct the presentence service officer to prepare and submit an updated validated risk and needs assessment for the offender. The court shall consider the results of such assessment in determining the appropriate disposition of the probation violation charge.

SECTION 12. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following language as a new subsection:

(t)

(1) For the offenses listed in subdivision (t)(2) committed on or after January 1, 2017, there shall be no release eligibility until the person has served eighty-five percent (85%) of the sentence imposed by the court, less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other law, shall operate to reduce below seventy percent (70%) the percentage of

sentence imposed by the court such person must serve before becoming release eligible.

(2) The offenses to which this subsection (t) is applicable are:

(A) The manufacture, delivery, or sale of a controlled substance, pursuant to § 39-17-417, where the instant offense is classified as a Class A, B, or C felony and the person has two (2) or more prior convictions for the manufacture, delivery, or sale of a controlled substance classified as a Class A, B, or C felony, pursuant to § 39-17-417, prior to or at the time of committing the instant offense; and

(B) Aggravated burglary, pursuant to § 39-14-403, or especially aggravated burglary, pursuant to § 39-14-404, if the person has two (2) or more prior convictions for either aggravated burglary, pursuant to § 39-14-403, especially aggravated burglary, pursuant to § 39-14-404, or a combination of the two (2) offenses prior to or at the time of committing the instant offense.

(3) For purposes of this subsection (t):

(A)

(i) "Prior conviction" means, unless the context otherwise requires, that the person serves and is released or discharged from, or is serving, a separate period of incarceration or supervision for the commission of the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B);

(ii) "Prior conviction" includes convictions under the laws of any other state, government, or country that, if committed in this state, would constitute the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B). If a relevant offense in a jurisdiction other than this state is not identified as the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B) in this state, it shall be considered a prior conviction if the elements of the felony are the same as the elements in this state; and

(B) "Separate period of incarceration or supervision" includes a sentence to any of the sentence alternatives set out in § 40-35-104(c)(3)-(9). The applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B) shall be considered as having been committed after a separate period of incarceration or supervision if it is committed while the person was:

(i) On probation, parole, community correction supervision, or supervised release for the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B);

(ii) Incarcerated for the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B);

(iii) Assigned to a program where the person enjoys the privilege of supervised release into the community, including, but not limited to, work release, education release, restitution release, or medical furlough for the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B); or

(iv) On escape status from any correctional institution when incarcerated for the applicable offense listed in subdivision (t)(2)(A) or (t)(2)(B).

(4) For purposes of this subsection (t), a prior conviction shall not be considered if ten (10) or more years have elapsed between the date of the instant conviction and the date of any immediately preceding conviction for the relevant offense. If, however, the date of a prior conviction is within ten (10) years of the date of the instant conviction, and the instant conviction is for an offense that occurs on or after January 1, 2017, then every conviction for such offense occurring within ten (10) years of the date of the immediately preceding conviction shall be considered in determining the number of prior offenses. However, in no event shall a conviction occurring more than twenty (20) years from the date of the instant conviction be considered a prior offense for the purposes of this subsection (t).

SECTION 13. Tennessee Code Annotated, Title 41, Chapter 1, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section, "validated risk and needs assessment" means a determination of a person's risk to reoffend and the needs that, when addressed, reduce the risk to reoffend through the use of an actuarial assessment tool that assesses the dynamic and static factors that drive criminal behavior.

(b) The department of correction and community corrections agencies shall perform a validated risk and needs assessment on each felony offender under its supervision or custody upon receipt of the person and at least annually throughout the period of supervision or custody.

(c) The validated risk and needs assessment shall be used by the department, community corrections agencies, the board of parole, and the courts in making decisions and recommendations on programming and treatment options and post-prison supervision conditions for those who have been incarcerated.

(d) Portions of the validated risk and needs assessment shall be shared with community providers upon release, as deemed appropriate by the department, while respecting the privacy rights of the offender.

SECTION 14. Tennessee Code Annotated, Title 40, Chapter 28, is amended by adding the following language as a new part:

40-28-701. Definitions.

As used in this part:

(1) "Chief supervision officer" means the correctional administrator for each region of the state or any other person designated by the commissioner;

(2) "Community supervision" means:

(A) The placement of a defendant on probation by a court for a specified period during which the sentence is suspended in whole or in part; or

(B) The placement by the board of parole of an individual on parole after release from prison or jail, with conditions imposed by the board for a specified period; and

(C) "Community supervision" does not mean community supervision for life imposed pursuant to § 39-13-524;

(3) "Court" means a court of record having original criminal jurisdiction;

(4) "Graduated sanction" means any of a wide range of non-prison offender accountability measures and programs, including, but not limited to, electronic supervision tools; drug and alcohol testing or monitoring; day or evening reporting centers; restitution centers; rehabilitative interventions such as substance abuse or mental health treatment; reporting requirements to probation and parole officers; community service or work crews; secure or unsecure residential treatment facilities or halfway houses; and short-term or intermittent incarceration;

(5) "Positive reinforcement" means any of a wide range of rewards and incentives, including, but not limited to, awarding certificates of achievement, reducing reporting requirements, removing supervision conditions such as home detention or curfew, or asking the offender to be a mentor to others;

(6) "Probation and parole officer" means a person appointed or employed by the department to supervise individuals placed on community supervision; and

(7) "Supervised individual" means an individual placed on probation by a court or serving a period of parole or post-release supervision from prison or jail for a felony offense.

40-28-702. Policy on Community Supervision.

Supervised individuals shall be subject to:

(1) Violation revocation proceedings and possible incarceration for failure to comply with the conditions of supervision when such failure constitutes a significant risk to prior victims of the supervised individual or the community at large and cannot be appropriately managed in the community; or

(2) Sanctions other than revocation as appropriate to the severity of the violation behavior, the risk of future criminal behavior by the offender, and the need for, and availability of, interventions which may assist the offender to remain compliant and crime-free in the community.

40-28-703. System of Graduated Sanctions.

(a) The department shall adopt a single system of graduated sanctions for violations of the conditions of community supervision. The system shall set forth a menu of presumptive sanctions for the most common types of supervision violations, including, but not limited to: failure to report; failure to pay fines, fees, and victim restitution; failure to participate in a required program or service; failure to complete community service; and failure to refrain from the use of alcohol or controlled substances. The system of sanctions shall take into account factors such as the severity of the current violation, the supervised individual's previous criminal record, the number and severity of any previous supervision violations, the supervised individual's assessed risk level, and the extent to which graduated sanctions were imposed for previous violations. The system shall also define positive reinforcements that supervised individuals will receive for compliance with conditions of supervision. The system shall clearly specify as to each type of sanction whether the supervised individual has the option to object and seek administrative review of the sanction.

(b) The department shall establish by policy an administrative process to review and approve or reject, prior to imposition, graduated sanctions that deviate from those prescribed.

(c) The department shall establish by policy an administrative process to review graduated sanctions contested by supervised individuals under § 40-28-705. The review shall be conducted by the chief supervision officer, who shall be impartial and trained to hear cases regarding graduated sanctions for violations of supervision conditions.

(d) The department shall establish and maintain a program of initial and ongoing training regarding the system of graduated sanctions for probation and parole officers.

40-28-704. Conditions of Community Supervision.

For individuals placed on supervised probation, the judge of the court having jurisdiction over the case shall determine the conditions of community supervision, which shall include as a condition that the department supervising the individual may, in accordance with § 40-28-705, impose graduated sanctions adopted by the department for violations of the conditions of community supervision.

40-28-705. Authority to Impose Graduated Sanctions.

(a) Notwithstanding any rule or law to the contrary, the department may:

(1) Impose graduated sanctions; and

(2) Place a supervised individual who violates the conditions of community supervision in a state or local correctional or detention facility or residential center for a period of not less than one (1) day nor more than thirty (30) days; provided, that such placement may not exceed thirty (30) days in any one (1) calendar year.

(b) A probation and parole officer intending to impose a graduated sanction shall issue to the supervised individual a notice of the intended sanction. The notice shall inform the supervised individual of the violation or violations alleged, the date or dates of the violation or violations, and the graduated sanction to be imposed.

(c) The imposition of a graduated sanction or sanctions by a probation and parole officer must comport with the system of graduated sanctions adopted by the department under § 40-28-703. Upon receipt of the notice, the supervised individual shall immediately accept the sanction or, if permitted under the system of graduated sanctions, object to the sanction or sanctions proposed by the probation and parole officer. The failure of the supervised individual to comply with a sanction shall constitute a violation of probation, parole, or post-release supervision. If the supervised individual objects to the imposition of the sanction or sanctions, when permitted by the system of graduated sanctions, the individual is entitled to an administrative review to be conducted by the department within five (5) days of the issuance of the notice. If the department affirms the recommendation contained in the notice, then the sanction or sanctions shall become effective immediately.

(d) If the graduated sanction involves confinement in a correctional or detention facility, confinement must be approved by the chief supervision officer. If the supervised individual is employed, the probation and parole officer shall, to the extent feasible, impose this sanction on weekend days or other days and times when the supervised individual is not working.

(e) A sanction that confines a supervised individual in a correctional or detention facility for a period of more than thirty (30) consecutive days, or extends the term of community supervision, may not be imposed as a graduated sanction, except pursuant to an order of the court or the releasing authority.

(f)

(1) A notice of a graduated sanction may not be issued for any violation of probation or parole that could warrant an additional, separate felony charge or Class A misdemeanor charge.

(2) Notwithstanding subdivision (f)(1), a notice of a graduated sanction may be issued for a positive drug test.

(g) Upon successful completion of a graduated sanction or sanctions, a court shall not revoke the term of community supervision or impose additional sanctions for the same violation. Notwithstanding this subsection (g), a court may consider an individual's supervision and sanctions history when adjudicating subsequent violations.

(h) The department shall regularly provide notice of sanctions imposed upon probationers to the sentencing court and the prosecutor's office for each jurisdiction.

(i) If a probation and parole officer imposes a graduated sanction, the officer shall:

(1) Deliver a copy of the sanction to the supervised individual;
and

(2) Note the date of delivery of the copy in the supervised individual's file.

40-28-706. Monitoring Graduated Sanctions.

The chief supervision officer shall review confinement sanctions recommended by probation and parole officers on a quarterly basis to assess any disparities that may exist among officers, evaluate the effectiveness of the sanction as measured by the supervised individuals' subsequent conduct, and monitor the impact on the department's number and type of revocations for violations of the conditions of supervision.

SECTION 15. The headings to sections, chapters, and parts in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 16. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 17. For the purpose of promulgating rules, policies, forms, and procedures and making necessary provisions for the implementation of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Van Huss moved adoption of Criminal Justice Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2576 by deleting the amendatory language of Section 2 and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 36-3-602, is amended by adding the following language as a new subsection (c) and renumbering the remaining subsection accordingly:

(c)

(1) A temporary order of protection shall be issued against a respondent pursuant to § 36-3-605 if, at the respondent's initial appearance following an arrest for a crime involving domestic abuse, the court finds there is probable cause to believe the respondent either:

(A) Caused serious bodily injury, as defined in § 39-11-106, to the alleged domestic abuse victim; or

(B) Used or displayed a deadly weapon, as defined in § 39-11-106.

(2) The alleged domestic abuse victim does not need to be present at the time the temporary order of protection is issued.

(3) A hearing on whether the temporary order of protection should be dissolved, extended, or modified shall be held within fifteen (15) days of service of the temporary order of protection upon the respondent. The domestic abuse victim shall have the right to notice of the hearing and the right to be present at the hearing. The procedures set forth in § 36-3-605 shall apply.

(4) The temporary order of protection may include any relief available under an ex parte order of protection issued pursuant to § 36-3-605.

AND FURTHER AMEND by deleting the amendatory language of Section 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 36-3-619, is amended by adding the following language as a new, appropriately designated subsection:

(1) For good cause shown, the court may issue an ex parte order of protection pursuant to § 36-3-605 upon a sworn petition filed by a law enforcement officer responding to an incident of domestic abuse who asserts in the petition reasonable grounds to believe that a person is in

immediate and present danger of abuse, as defined in § 36-3-601, and that the person has consented to the filing in writing; provided, that the person on whose behalf the law enforcement officer seeks the ex parte order of protection shall be considered the petitioner for purposes of this part.

(2) The law enforcement officer may seek on behalf of the person the ex parte order regardless of the time of day and whether or not an arrest has been made.

(3) If an ex parte order is issued pursuant to this section outside of the issuing court's normal operating hours:

(A) The law enforcement officer, judge, or judicial official shall cause the petition and order to be filed with the court as soon as practicable after issuance, but no later than two (2) business days after issuance; and

(B) The law enforcement officer shall use reasonable efforts to notify the person on whose behalf the petition was filed and provide the person with a copy of the ex parte order as soon as practicable after issuance.

(4) The court shall cause a copy of the petition, a notice of the date set for the hearing, and a copy of the ex parte order of protection to be served upon the respondent in accordance with § 36-3-605(c). A hearing on whether or not the ex parte order of protection should be dissolved, extended, or modified shall be held within fifteen (15) days of service of the order on the respondent. The person who consented to the filing shall be given notice of the hearing and the right to be present at the hearing. The procedures set forth in § 36-3-605 shall apply.

(5) Law enforcement officers shall not be subject to civil liability under this section for failure to file a petition or for any statement made or act performed in filing the petition, if done in good faith.

AND FURTHER AMEND by deleting the amendatory language of Section 11 and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 40-35-311, is amended by adding the following language as a new subsection:

(f) The court may consider the results of an offender's validated risk and needs assessment in determining the appropriate disposition of the probation violation charge and may request an updated validated risk and needs assessment be performed.

AND FURTHER AMEND by deleting Section 14 and substituting instead the following:

SECTION 14. Tennessee Code Annotated, Title 40, Chapter 28, is amended by adding the following language as a new part:

40-28-701. Definitions.

As used in this part:

(1) "Chief supervision officer" means the correctional administrator for each region of the state or any other person designated by the commissioner;

(2)

(A) "Community supervision" means:

(i) The placement of a defendant on probation by a court for a specified period during which the sentence is suspended in whole or in part; or

(ii) The placement by the board of parole of an individual on parole after release from prison or jail, with conditions imposed by the board for a specified period; and

(B) "Community supervision" does not mean community supervision for life imposed pursuant to § 39-13-524;

(3) "Court" means a court of record having original criminal jurisdiction;

(4) "Graduated sanction" means any of a wide range of non-prison offender accountability measures and programs, including, but not limited to, electronic supervision tools; drug and alcohol testing or monitoring; day or evening reporting centers; rehabilitative interventions such as substance abuse or mental health treatment; reporting requirements to probation and parole officers; community service or work crews; and residential treatment facilities;

(5) "Positive reinforcement" means any of a wide range of rewards and incentives, including, but not limited to, awarding certificates of achievement, reducing reporting requirements, removing supervision conditions such as home detention or curfew, or asking the offender to be a mentor to others;

(6) "Probation and parole officer" means a person appointed or employed by the department to supervise individuals placed on community supervision; and

(7) "Supervised individual" means an individual placed on probation by a court or serving a period of parole or post-release supervision from prison or jail for a felony offense.

40-28-702. Policy on Community Supervision.

Supervised individuals shall be subject to:

(1) Violation revocation proceedings and possible incarceration for failure to comply with the conditions of supervision when such failure constitutes a significant risk to prior victims of the supervised individual or the community at large and cannot be appropriately managed in the community; or

(2) Sanctions other than revocation as appropriate to the severity of the violation behavior, the risk of future criminal behavior by the offender, and the need for, and availability of, interventions which may assist the offender to remain compliant and crime-free in the community.

40-28-703. System of Graduated Sanctions.

(a) The department shall adopt a single system of graduated sanctions for violations of the conditions of community supervision. The system shall set forth a menu of presumptive sanctions for the most common types of supervision violations, including, but not limited to: failure to report; failure to pay fines and fees; failure to participate in a required program or service; failure to complete community service; and failure to refrain from the use of alcohol or controlled substances. The system of sanctions shall take into account factors such as the severity of the current violation, the supervised individual's previous criminal record, the number and severity of any previous supervision violations, the supervised individual's assessed risk level, and the extent to which graduated sanctions were imposed for previous violations. The system shall also define positive reinforcements that supervised individuals will receive for compliance with conditions of supervision. The system shall clearly specify as to each type of sanction whether the supervised individual has the option to object and seek administrative review of the sanction.

(b) The department shall establish by policy an administrative process to review and approve or reject, prior to imposition, graduated sanctions that deviate from those prescribed.

(c) The department shall establish by policy an administrative process to review graduated sanctions contested by supervised individuals under § 40-28-705. The review shall be conducted by the chief supervision officer, who shall be impartial and trained to hear cases regarding graduated sanctions for violations of supervision conditions.

(d) The department shall establish and maintain a program of initial and ongoing training regarding the system of graduated sanctions for probation and parole officers.

40-28-704. Conditions of Community Supervision.

For individuals placed on supervised probation, the judge of the court having jurisdiction over the case shall determine the conditions of community supervision, which shall include as a condition that the department supervising the individual may, in accordance with § 40-28-705, impose graduated sanctions adopted by the department for violations of the conditions of community supervision.

40-28-705. Authority to Impose Graduated Sanctions.

(a) Notwithstanding any rule or law to the contrary, the department may impose graduated sanctions.

(b) A probation and parole officer intending to impose a graduated sanction shall issue to the supervised individual a notice of the intended sanction. The notice shall inform the supervised individual of the violation or violations alleged, the date or dates of the violation or violations, and the graduated sanction to be imposed.

(c) The imposition of a graduated sanction or sanctions by a probation and parole officer must comport with the system of graduated sanctions adopted by the department under § 40-28-703. Upon receipt of the notice, the supervised individual shall immediately accept the sanction or, if permitted under the system of graduated sanctions, object to the sanction or sanctions proposed by the probation and parole officer. The failure of the supervised individual to comply with a sanction shall constitute a violation of probation, parole, or post-release supervision. If the supervised individual objects to the imposition of the sanction or sanctions, when permitted by the system of graduated sanctions, the individual is entitled to an administrative review to be conducted by the department within five (5) days of the issuance of the notice. If the department affirms the recommendation contained in the notice, the sanction or sanctions shall become effective immediately.

(d)

(1) A notice of a graduated sanction may not be issued for any violation of probation or parole that could warrant an additional, separate felony charge or Class A misdemeanor charge.

(2) Notwithstanding subdivision (d)(1), a notice of a graduated sanction may be issued for a positive drug test.

(e) Upon successful completion of a graduated sanction or sanctions, a court shall not revoke the term of community supervision or impose additional sanctions for the same violation. Notwithstanding this subsection (e), a court may consider an individual's supervision and sanctions history when adjudicating subsequent violations.

(f) The department shall regularly provide notice of sanctions imposed upon probationers to the sentencing court and the prosecutor's office for each jurisdiction.

(g) If a probation and parole officer imposes a graduated sanction, the officer shall:

(1) Deliver a copy of the sanction to the supervised individual;
and

(2) Note the date of delivery of the copy in the supervised individual's file.

40-28-706. Monitoring Graduated Sanctions.

The chief supervision officer shall review confinement sanctions recommended by probation and parole officers on a quarterly basis to assess any disparities that may exist among officers, evaluate the effectiveness of the sanction as measured by the supervised individuals' subsequent conduct, and monitor the impact on the department's number and type of revocations for violations of the conditions of supervision.

On motion, Criminal Justice Committee Amendment No. 2 was adopted.

Rep. Lamberth moved that **House Bill No. 2576**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	0
Present and not voting.....	4

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Stewart, Swann, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 88

Representatives present and not voting were: Durham, Moody, Powers, Travis -- 4

A motion to reconsider was tabled.

***House Bill No. 2569** -- Professions and Occupations - As introduced, revises various provisions regarding cemetery owners and companies, architects, insurers, shops licensed by the board of cosmetology and barber examiners, funeral directors, real estate firms, real estate brokers, affiliate brokers, time-share salespersons, and acquisition agents. - Amends TCA Section 46-2-101; Section 56-1-213 and Title 62. by *McCormick, *Brooks K, *Forgety. (SB2534 by *Norris, *Watson)

On motion, House Bill No. 2569 was made to conform with **Senate Bill No. 2534**; the Senate Bill was substituted for the House Bill.

Rep. Forgety moved that Senate Bill No. 2534 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Stewart moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2534 by deleting the effective date section and substituting instead the following new sections:

SECTION 13. Tennessee Code Annotated, Title 62, is amended by adding the following as a new chapter.

62-12-101. As used in this chapter:

(1) "Adult dog" means a *Canis familiaris* or *Canis familiaris* hybrid six (6) months of age or older;

(2) "Business hours" means between nine o'clock a.m. (9:00 a.m.) prevailing time and five o'clock p.m. (5:00 p.m.), Monday through Friday, except for legal federal holidays;

(3) "Chief law enforcement officer" means the duly elected sheriff or appointed police chief of a municipality;

(4) "Commercial dog breeder" means any person who possesses or maintains, under the person's immediate control, fifteen (15) or more intact female adult dogs in this state at one (1) time for the primary purpose of breeding or selling dogs, or who sells forty (40) or more dogs within a calendar year;

(5) "Commissioner" means the commissioner of commerce and insurance, the commissioner's designee, or, in the absence of the commissioner's designee, who shall be an employee of this state, or a vacancy in the office of commissioner, a deputy commissioner;

(6) "Consumer" means:

(A) Any natural person purchasing a dog from a commercial dog breeder; and

(B) Does not include a business or corporation engaged in sales or services;

(7) "Department" means the department of commerce and insurance;

(8) "Euthanasia" means a method of humanely terminating the life of a dog that may be performed only by a licensed veterinarian or certified euthanasia technician;

(9) "Housing facility" means any land, premises, shed, barn, building, trailer, or other structure or area, housing, or intended to house, dogs;

(10) "Intact" means a female dog that has not been altered by surgical, chemical, or physical means and still has the capability of breeding;

(11) "Owner" means any person who has a property right in a dog;

(12) "Person" means an individual, corporation, limited liability company, firm, company, association, or other legal entity;

(13) "Releasing agency" means:

(A) A public animal shelter; or

(B) A private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to dogs, or other similar entity or home-based rescue that releases companion dogs for adoption; and

(14) "Veterinarian" means a person who is licensed and in good standing to practice veterinary medicine pursuant to the Tennessee Veterinary Practice Act of 1967, compiled in title 63, chapter 12.

62-12-102. No person shall operate, attempt to operate, or offer to operate as a commercial dog breeder without first registering with the department in accordance with this chapter. All registrations under this chapter shall expire two (2) years from the date of the registration or the renewal of the registration. Any person operating, attempting to operate, offering to operate, or intending to operate as a commercial dog breeder shall be registered with the department in accordance with this chapter. An individual shall be at least eighteen (18) years of age to register.

62-12-103.

(a) A person seeking to register as a commercial dog breeder shall apply on a form furnished by the department, which shall include such information as the commissioner may require. An application form, implementing rules, and other necessary forms shall be maintained on the department's web site.

(b) No person seeking to register as a commercial dog breeder, nor any person who has a substantial interest, financial or otherwise, in such applicant, shall exercise control over, or maintain an interest in, any releasing agency.

(c) Each application shall contain proof that each person seeking to register as a commercial dog breeder provides a program of veterinary care signed by a veterinarian that includes such information as the commissioner may require.

(d) Prior to the department registering the applicant as a commercial dog breeder, the department may perform an on-site inspection to confirm that the premises of any location used to conduct the business of commercial dog breeding by the applicant conforms to this chapter and the rules promulgated pursuant to this chapter prior to the issuance of a registration. Inspections shall only be conducted by an employee of the state or a person acting on behalf of the commissioner.

(e)

(1) On each registration and renewal form, each registrant or applicant shall declare, under oath, whether the registrant has ever been convicted of a violation of this chapter, or has a conviction or pled nolo contendere for animal cruelty or neglect.

(2) A person who has been convicted of a violation of this chapter or has a conviction or pled nolo contendere to animal cruelty or neglect or domestic assault shall be prohibited from registering under this chapter.

62-12-104. The commissioner, by rule, shall establish a fee schedule pursuant to this chapter. The fee schedule may include, but is not limited to, the following fees:

(1) Initial registration fee, not to exceed two hundred dollars (\$200);

(2) Initial inspection fee, not to exceed two hundred dollars (\$200);

(3) Inspection fee pursuant to § 62-12-105, not to exceed two hundred dollars (\$200);

(4) Registration renewal fee, not to exceed one hundred dollars (\$100);

(5) Returned check fee;

(6) Duplicate registration fee, not to exceed fifty dollars (\$50.00);

(7) Change of address fee, not to exceed fifty dollars (\$50.00);
and

(8) New location fee not to exceed fifty dollars (\$50.00).

62-12-105.

(a) The department is authorized to enforce violations of this chapter in the same manner as the department enforces other regulatory programs within its jurisdiction.

(b) Inspections shall:

(1) Be conducted during business hours or another time mutually agreed upon with the registrant at the location being inspected; and

(2) Be limited in scope to items in an inspection checklist that shall be published on the department's web site; provided, that violations of other items that are plainly visible may be documented.

(c) Failure to cooperate with an authorized representative of the department acting in accordance with this section shall be considered a violation of this chapter.

(d) If an inspection reveals a violation of this chapter or rules promulgated pursuant to this chapter, the department shall give the commercial dog breeder a detailed list of the violations found during the inspection within a reasonable time after the inspection.

(e) If an inspection is performed upon a registrant, the registrant shall pay an inspection fee as set by the commissioner for each inspection.

62-12-106.

The commissioner may revoke or refuse to issue or renew a commercial dog breeder registration of any person for one (1) or more of the following reasons:

(1) Any violation of this chapter or the rules promulgated pursuant to this chapter;

(2) Conviction or entering a plea of guilty to animal cruelty or neglect; or

(3) Conviction or entering a plea of guilty to domestic assault.

62-12-107. A registration issued under this chapter shall be renewable biennially upon application and payment of the renewal fee by the registrant, if the registrant has complied with this chapter and any renewal requirements established by the commissioner. The commissioner may charge a late fee as set by rule per month or part of a month that a registration renewal is late; provided, however, that failure to file a renewal within sixty (60) days of the expiration of a registration shall result in the registration becoming invalid and the registrant shall be required to obtain a new registration.

62-12-108. Any person whose registration was previously revoked shall not operate as a commercial dog breeder.

62-12-109.

(a) The commissioner, in consultation with commercial breeders and veterinarians who practice small animal care, is authorized to promulgate rules to effectuate the purposes of this chapter. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(b) The rules may include, but are not limited to, the following:

(1) Operating standards and facility requirements for commercial dog breeders; and

(2) Requirements for:

(A) Facilities and housing;

(B) Mobile or traveling housing facilities;

(C) Primary enclosures;

(D) Compatible grouping of dogs;

(E) Adequate veterinary care;

(F) Exercising, feeding, and watering for dogs;

(G) Cleaning, sanitization, housekeeping, and pest control; and

(H) Commercial dog breeder employees.

(c) Rules containing standards and requirements established by the commissioner shall assist in the development and promotion of best practices for commercial dog breeders; however, no rule shall prevent a registrant from maintaining dogs in a residence if the registrant is otherwise in compliance with this chapter and the rules promulgated to

implement this chapter. In establishing the rules, the commissioner may consider, without limitation:

(1) Corresponding standards established by the American Veterinary Medical Association (AVMA) in its Model Bill and Regulations to Assure Appropriate Care for Dogs Intended to Use as Pets as published April 9, 2010, and any subsequent updates;

(2) Corresponding standards established by the American Kennel Club (AKC) in its Care and Conditions of Dogs policy as updated June 1, 2012, and any subsequent updates; and

(3) Corresponding rules, regulations, policies, forms, and materials developed in other states.

62-12-110. Nothing in this chapter shall preempt or limit the powers of any county, municipality, or other unit of local government from adopting ordinances that are more stringent than this chapter.

62-12-111. No registrant shall use any location for the purpose of commercial dog breeding, except for use that is de minimis, without first notifying the commissioner that the location will be used for such purpose.

62-12-112. It is a Class A misdemeanor, punishable only by fine, for a person to engage in the business of commercial dog breeding without obtaining a commercial dog breeder registration from the department.

SECTION 14.

(a) Sections 1 through 12 of this act shall take effect July 1, 2016, the public welfare requiring it.

(b) For the purpose of promulgating rules, Section 13 of this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, Section 13 of this act shall take effect January 1, 2017, the public welfare requiring it.

Rep. Forgety moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	63
Noes	23

Representatives voting aye were: Alexander, Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Swann, Todd, Travis, Van Huss, Weaver, White D., Williams, Wirgau, Womick, Zachary -- 63

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Lynn, Miller, Parkinson, Powell, Shaw, Shepard, Stewart, Turner, Windle, Madam Speaker Harwell -- 23

Rep. Forgety moved that **Senate Bill No. 2534**, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

Representatives voting no were: Windle -- 1

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on the motion to table Amendment No. 2 to **Senate Bill No. 2534** and have this statement entered in the Journal: Reps. Jernigan and Pody.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1775** -- Garnishments and Executions - As introduced, expands provisions authorizing the garnishment of earnings to include the earnings, commissions, and wages of independent contractors and similarly situated persons. - Amends TCA Title 26, Chapter 2 and Title 29, Chapter 7. by *Marsh. (SB1969 by *Tracy)

Rep. Marsh moved that House Bill No. 1775 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1775 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 26-2-214, is amended by deleting the section and by substituting instead the following:

(a) Upon the garnishment of earnings due from a garnishee, the garnishee shall:

(1) Pay the judgment debtor the amount of such debtor's exempt earnings;

(2) Submit as a part of the judgment debtor's answer to the garnishment a statement of the judgment debtor's dependent children under sixteen (16) years of age who are residents of this state; and

(3) Furnish the judgment debtor with a copy of the garnishment summons containing the notice of the judgment debtor's right to the exemptions from wage garnishment specified in federal law and in §§ 26-2-106 and 26-2-107 of the right to apply to the court for an order staying further garnishment and allowing the judgment debtor to pay the judgment in installments, and of procedures the judgment debtor can follow to contest the garnishment.

(b)

(1) To the extent of the amount due upon the judgment and costs, the garnishee shall hold, subject to the order of the court, any non-exempt earnings due or that subsequently become due. The judgment or balance due is a lien on earnings due at the time of the service of the execution. The lien shall continue as to subsequent earnings until the total amount due upon the judgment and costs is paid or satisfied, or until the expiration of the payment period immediately prior to six (6) calendar months after service of the execution, whichever occurs first. The lien on subsequent earnings shall terminate sooner if the relationship between judgment debtor and garnishee is terminated or if the underlying judgment is vacated or modified.

(2) A lien obtained under this section shall have priority over any subsequent liens obtained under this section.

(c) Nothing in this section with respect to the relationship between the judgment debtor and the garnishee shall be construed to affect the underlying relationship of the parties, including, but not limited to, the relationship of employer-employee or the independent contractor relationship as otherwise provided by law.

SECTION 2. This act shall take effect on September 1, 2016, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Marsh moved that **House Bill No. 1775**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91

3567

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1776** -- Common Carriers - As introduced, removes restriction that permitted nondivisible overweight loads less than 150,000 pounds that are carried by truck tractor and semi-trailer combinations not exceed 50 feet in length. - Amends TCA Title 55, Chapter 7. by *Marsh, *Brooks K. (SB1964 by *Tracy)

Rep. Marsh moved that House Bill No. 1776 be passed on third and final consideration.

Rep. Rogers requested that Transportation Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1776 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-203(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) For nondivisible overweight loads exceeding the maximum gross vehicle weight established in this section, the commissioner may issue a special permit in accordance with § 55-7-205 allowing axle weights in excess of the axle weight limits established in subsection (b) as follows:

(1) The maximum width of the vehicle, including the truck and semi-trailer or trailer combination, shall not exceed ten feet (10'); provided, however, that the load may exceed ten feet (10') in width if properly permitted;

(2) No single axle shall carry a load in excess of twenty-three thousand pounds (23,000 lbs.);

(3) No tandem axle group shall carry a load in excess of forty-six thousand pounds (46,000 lbs.); and

(4) No axle group of three (3) axles (tridem) shall carry a load in excess of sixty thousand pounds (60,000 lbs.).

SECTION 2. Tennessee Code Annotated, Section 55-7-205(h)(4), is amended by deleting the subdivision in its entirety and substituting instead the following:

(4) Evaluation of bridges and similar structures: The department shall, as it deems necessary, evaluate the capacity of bridges or similar structures to carry the proposed movement of an overweight or overdimensional load along a particular route, and the department shall charge the requestor for this evaluation each time a different route is proposed, as follows:

(A) Movements weighing over one hundred sixty-five thousand pounds (165,000 lbs.) but not more than two hundred fifty thousand pounds (250,000 lbs.), one hundred dollars (\$100);

(B) Movements weighing over two hundred fifty thousand pounds (250,000 lbs.) but not more than five hundred thousand pounds (500,000 lbs.), three hundred dollars (\$300); and

(C) Movements weighing over five hundred thousand pounds (500,000 lbs.), actual cost;

SECTION 3. Tennessee Code Annotated, Section 55-7-205(h)(5), is amended by deleting the subdivision in its entirety and substituting instead the following:

(5) A permit shall be available from the department of transportation on an annual basis for each specific vehicle to be used for transporting overdimensional or overweight loads, or both, except for those vehicles specifically permitted and used to transport cotton seed modules as provided in subsection (b), overdimensional boats used for noncommercial purposes as provided in subdivision (h)(6), and mobile homes as provided in § 55-4-406, as follows:

(A) For vehicles transporting loads up to but not exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or twelve feet six inches (12'6") in width, one hundred dollars (\$100); provided, however, that vehicles transporting loads up to but not exceeding thirteen feet six inches (13'6") in width may obtain an annual permit upon the condition that such overwidth movements shall be accompanied by an escort vehicle as required in the rules and regulations promulgated by the commissioner in accordance with this section;

(B) For vehicles transporting loads with excess weights up to but not exceeding one hundred thousand pounds (100,000 lbs.), seven hundred fifty dollars (\$750);

(C) For vehicles transporting loads with excess weights over one hundred thousand pounds (100,000 lbs.) but not exceeding one hundred

twenty thousand pounds (120,000 lbs.), one thousand five hundred dollars (\$1,500);

(D) For vehicles transporting loads with excess weights over one hundred twenty thousand pounds (120,000 lbs.) but not exceeding one hundred forty thousand pounds (140,000 lbs.), two thousand two hundred fifty dollars (\$2,250);

(E) For vehicles transporting loads with excess weights over one hundred forty thousand pounds (140,000 lbs.) but not exceeding one hundred fifty-five thousand pounds (155,000 lbs.), three thousand dollars (\$3,000);

(F) For vehicles transporting loads over one hundred fifty-five thousand pounds (155,000 lbs.) but not exceeding one hundred sixty-five thousand pounds (165,000 lbs.), three thousand five hundred dollars (\$3,500);

(G) Vehicles transporting loads that are both overdimensional and overweight shall be charged a separate annual fee for both overdimensional loads and overweight loads as provided in subdivisions (h)(5)(A)-(F);

(H) No annual permit shall be available for any vehicle transporting loads with weights exceeding one hundred sixty-five thousand pounds (165,000 lbs.) or dimensions exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or thirteen feet six inches (13'6") in width, and any such vehicle shall be required to obtain a special permit for the fee or fees otherwise established in this subsection (h) for excessive width, height, length, or weight; and

(I) Notwithstanding any vehicle movement authorized under an annual permit as provided in this subdivision (h)(5), no such vehicle shall be authorized to exceed any vehicle weight limit or limits posted on any bridge or highway by the public official having jurisdiction over such bridge or highway; and

SECTION 4. This act shall take effect January 1, 2017, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Rogers moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Marsh moved that **House Bill No. 1776**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 90

A motion to reconsider was tabled.

***House Bill No. 1830** -- Employees, Employers - As introduced, makes various changes to the Tennessee Lawful Employment Act, including requiring any public or private employer with six or more employees to enroll in the E-Verify program unless the employer submits an affidavit to the commissioner of labor and workforce development that the employer would suffer an undue hardship. - Amends TCA Title 36, Chapter 5, Part 11 and Title 50, Chapter 1, Part 7. by *Marsh, *Terry, *Durham, *Sexton C, *Travis. (SB1965 by *Tracy, *Roberts, *Stevens)

On motion, House Bill No. 1830 was made to conform with **Senate Bill No. 1965**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 1965 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 1965** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 2088** -- Medical Occupations - As introduced, creates a 21-member task force to study issues related to healthcare services; specifies that the task force will make a report and cease to exist by January 15, 2017. - Amends TCA Title 63, Chapter 7. by *Faison, *DeBerry, *Favors, *Lamberth, *Sexton C. (SB1979 by *Massey, *Crowe, *Jackson, *Overbey, *Yarbro, *Bowling, *Yager)

On motion, House Bill No. 2088 was made to conform with **Senate Bill No. 1979**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1979 be passed on third and final consideration.

Rep. C. Sexton requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1979 by deleting all language after the enacting clause and substituting the following:

SECTION 1. There is created a scope of practice task force, hereafter referred to as the "task force", to make recommendations to the general assembly for the improvement of Tennessee residents' health by providing access to quality and cost-effective care.

SECTION 2.

(a) Subject to the selection of additional persons to serve as ex officio members pursuant to subsection (c), the task force shall consist of nineteen (19) members as follows:

(1) Two (2) members of the house of representatives shall be appointed by the speaker of the house of representatives, and two (2) members of the senate shall be appointed by the speaker of the senate;

(2) The commissioner of health shall appoint one (1) representative of the department of health;

(3) Two (2) practicing physicians shall be appointed by the speaker of the senate;

(4) Two (2) practicing physicians shall be appointed by the speaker of the house of representatives; provided, that one (1) physician is an anesthesiologist;

(5) Two (2) advance practice registered nurses, including one (1) certified nurse practitioner and one (1) certified nurse midwife, shall be appointed by the speaker of the senate;

(6) Two (2) advance practice registered nurses, including one (1) certified nurse practitioner and one (1) certified registered nurse anesthetist, shall be appointed by the speaker of the house of representatives;

(7) One (1) representative of a doctor of nursing program shall be appointed by the speaker of the senate;

(8) One (1) representative of a doctor of nursing program shall be appointed by the speaker of the house of representatives;

(9) One (1) representative of a school of medicine shall be appointed by the speaker of the senate;

(10) One (1) representative of a school of medicine shall be appointed by the speaker of the house of representatives;

(11) One (1) representative of county government shall be appointed by the speaker of the senate; and

(12) One (1) representative of municipal government shall be appointed by the speaker of the house of representatives.

(b) The task force shall elect two (2) co-chairs from its membership.

(c) Additional ex officio task force members may be selected to represent public health clinics, community health centers, law enforcement, rural health providers, TennCare, and private health insurers as the task force determines its need for additional input or expertise.

(d) In making appointments to the task force, the appointing authorities shall strive to appoint members who are reflective of the geographic, racial, ethnic, and gender diversity of this state's population.

SECTION 3.

(a) The task force shall:

(1) Develop a plan to educate the public and healthcare professionals about the advantages and methods of a transformative healthcare delivery system that addresses the need for accessible, equitable, and affordable care provided by the appropriate healthcare professional;

(2) Make recommendations on the implementation of a plan to allow healthcare providers to work to the full extent of their education, training, experience, and certification; and

(3) Identify:

(A) Barriers to the adoption of best practices, including, but not limited to, unnecessary regulation and lack of access to primary care providers; and

(B) Potential public policy options to address any barriers identified pursuant to subdivision (a)(3)(A).

(b) All appropriate state agencies shall provide assistance to the task force upon request of one (1) of the co-chairs.

(c) The first meeting of the task force shall be convened by a senator who is appointed to serve on the task force.

(d) The task force members shall not be compensated or receive travel reimbursement for their service on the task force.

(e) The task force shall meet only when the general assembly is meeting in session or other state business is being conducted.

(f) The task force shall submit a report of its findings and recommendations, including any proposed legislation, to the one hundred tenth general assembly no later than January 10, 2017, at which time the task force shall cease to exist.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1979**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar,

3574

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Love, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 89

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

House Bill No. 2032 -- Agriculture - As introduced, requires the department of agriculture to license industrial hemp processors and distributors in this state and authorizes certain higher education institutions to develop ultra-low THC content industrial hemp seeds that could be certified by the state seed certifying agency for use by persons licensed to grow industrial hemp in this state. - Amends TCA Title 39; Title 43 and Chapter 936 of the Public Acts of 2014. by *Faison. (*SB1611 by *Niceley)

Rep. Faison moved that House Bill No. 2032 be passed on third and final consideration.

Rep. Holt moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2032 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 43-26-102, is amended by deleting subdivision (4) and substituting the following:

(4) "Industrial hemp" means the plants and plant parts of the genera cannabis that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three tenths of one percent (0.3%) on a dry mass basis and that are either grown from seed certified by a certifying agency, as defined in § 43-10-103, or grown by an institution of higher education in this state that offers a baccalaureate or post-graduate level program of study in agricultural sciences.

SECTION 2. Tennessee Code Annotated, Section 43-26-103, is amended by deleting subsections (e) and (f) and substituting the following:

(e) The department of agriculture shall promulgate rules concerning industrial hemp production and processing, including rules establishing reasonable fees for licenses or permits to defray the cost of implementing and administering the industrial hemp program in this state on an ongoing basis. All revenue collected from fees established pursuant to this subsection (e) shall be

used exclusively for the administration of the industrial hemp program and regulation of industrial hemp.

(f) Any person who cultivates an industrial hemp crop of any size, or who processes industrial hemp, in this state shall obtain an annual license from the department of agriculture. In order to obtain an industrial hemp license, the grower or processor shall agree that the department has the right to inspect the industrial hemp crop or inventory for compliance. If any grower or processor fails to obtain a license required by this section, any industrial hemp within the person's possession or control shall be considered marijuana under § 39-17-415.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Faison moved that **House Bill No. 2032**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 86

Representatives voting no were: Dunn, Moody -- 2

Representatives present and not voting were: Powers -- 1

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Spivey was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1892** -- Water Pollution - As introduced, requires that general permits issued under the Water Quality Control Act be no more restrictive than federal requirements for management storm water post construction; requires that provisions of certain general permits be promulgated in rule form prior to implementation. - Amends TCA Title 69, Chapter 3, Part 1. by *Halford, *Lollar, *Sparks, *McManus, *Holt, *Brooks K, *Howell, *Carter, *Marsh, *Eldridge, *Casada, *Alexander, *Byrd, *Sexton C, *Brooks H, *Littleton, *Jenkins, *Todd, *Moody, *Pitts, *Forgety, *Sanderson, *Durham, *Gravitt. (SB1830 by *Southerland, *Kelsey, *Gardenhire, *Green, *Bell, *Beavers, *Bowling, *Crowe, *Jackson, *Niceley, *Norris, *Roberts, *Stevens, *Tate)

On motion, House Bill No. 1892 was made to conform with **Senate Bill No. 1830**; the Senate Bill was substituted for the House Bill.

Rep. Halford moved that Senate Bill No. 1830 be passed on third and final consideration.

Rep. Holt requested that Agriculture and Natural Resources Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Favors moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Holt moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion failed by the following vote:

Ayes	40
Noes.....	47

Representatives voting aye were: Butt, Byrd, Carr, Coley, Daniel, Doss, Durham, Eldridge, Forgety, Goins, Halford, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Keisling, Kumar, Littleton, Lollar, Marsh, Matheny, McDaniel, McManus, Moody, Pitts, Powers, Ramsey, Reedy, Sanderson, Spivey, Swann, Todd, White D., Williams, Wirgau, Womick, Zachary -- 40

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Brooks K., Calfee, Camper, Carter, Casada, Clemmons, Cooper, DeBerry, Dunlap, Dunn, Farmer, Fitzhugh, Gravitt, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Jernigan, Jones, Lamberth, Love, Lynn, McCormick, Miller, Parkinson, Pody, Powell, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Towns, Travis, Turner, Van Huss, Weaver, White M., Windle -- 47

After further discussion, Rep. Halford moved that **Senate Bill No. 1830** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 71
Noes..... 18
Present and not voting..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Cooper, Daniel, Doss, Dunlap, Durham, Eldridge, Faison, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Todd, Van Huss, Weaver, White D., White M., Williams, Womick, Zachary -- 71

Representatives voting no were: Beck, Calfee, Camper, Clemmons, DeBerry, Farmer, Fitzhugh, Hardaway, Jones, Mitchell, Ramsey, Stewart, Swann, Towns, Travis, Turner, Windle, Madam Speaker Harwell -- 18

Representatives present and not voting were: Dunn -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1830** and have this statement entered in the Journal: Rep. Wirgau.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2269** -- State Employees - As introduced, extends from 30 days to 45 days the period by which the appointing authority of a state agency is required to appoint an applicant to fill a vacant position after being referred a list of eligible candidates by the commissioner of human resources. - Amends TCA Title 8, Chapter 30 and Title 49. by *Dunn, *Littleton. (SB2485 by *Massey, *Yager)

On motion, House Bill No. 2269 was made to conform with **Senate Bill No. 2485**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 2485 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 2485** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Gilmore

REGULAR CALENDAR, CONTINUED

***House Bill No. 2301** -- Alcoholic Beverages - As introduced, removes the requirement that in order for a retail food store to obtain a license to sell alcoholic beverages for consumption on premises that the premises and business for on-premises consumption be separate and distinct from the retail food store. - Amends TCA Title 57, Chapter 3, Part 8 and Title 57, Chapter 4. by *Marsh. (SB2113 by *Johnson)

Further consideration of House Bill No. 2301, previously considered on March 31, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 2301 was made to conform with **Senate Bill No. 2113**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 2113 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 2113** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	13
Present and not voting.....	6

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, 3579

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kumar, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Todd, Travis, Turner, Van Huss, Weaver, White D., Williams, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Alexander, DeBerry, Dunlap, Dunn, Holt, Lollar, Lynn, Moody, Sexton J., Smith, White M., Windle, Zachary -- 13

Representatives present and not voting were: Butt, Byrd, Doss, Pody, Powers, Towns -- 6

A motion to reconsider was tabled.

***House Bill No. 2238** -- Alcoholic Beverages - As introduced, increases the time alcoholic beverages may be sold at certain theaters from one hour prior to, during, and one hour after the performance to 90 minutes prior to, during, and 90 minutes after the performance. - Amends TCA Title 57, Chapter 4. by *Sargent, *McManus. (SB2104 by *Johnson)

Further consideration of House Bill No. 2238, previously considered on March 31, 2016, at which time it was reset for today's Calendar.

Rep. Sargent moved that **House Bill No. 2238** be reset for the Regular Calendar on April 14, 2016, which motion prevailed.

Senate Bill No. 1656 -- Pensions and Retirement Benefits - As introduced, requires forfeiture of retirement benefits of teachers who become members of TCRS or other public pension systems on or after July 1, 2016, if convicted of any misdemeanor sexual offense arising out of the teacher's employment or official capacity. - Amends TCA Title 8 and Title 49. by *Tracy, *Gresham. (*HB1494 by *Lamberth, *Littleton)

Further consideration of Senate Bill No. 1656, previously considered on March 31, 2016, at which time the House substituted the Senate Bill for the House Bill, Amendments Nos. 1 and 2 were adopted, and it was reset for today's Calendar.

Rep. Lamberth moved that Senate Bill No. 1656 be passed on third and final consideration.

Rep. Casada moved that House Amendment No. 3 be withdrawn, which motion prevailed.

BILL RE-REFERRED

Rep. Sanderson moved that **Senate Bill No. 1656** be re-referred to the Criminal Justice Committee, which motion prevailed by the following vote:

Ayes	58
Noes.....	22
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Butt, Byrd, Calfee, Camper, Carter, Casada, Coley, Cooper, Daniel, Doss, Dunn, Durham, Eldridge, Forgety, Goins, Gravitt, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Littleton, Lollar, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Sanderson, Sexton J., Shaw, Shepard, Smith, Spivey, Towns, Travis, Turner, Van Huss, Weaver, Williams, Wirgau, Womick, Zachary -- 58

Representatives voting no were: Beck, Carr, Clemmons, Dunlap, Farmer, Halford, Hardaway, Hicks, Jenkins, Jernigan, Jones, Lamberth, Matheny, McManus, Powell, Reedy, Sexton C., Stewart, Swann, White D., Windle, Madam Speaker Harwell -- 22

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the motion to re-refer **Senate Bill No. 1656** to the Criminal Justice Committee and have this statement entered in the Journal: Rep. Rogers.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on the motion to re-refer **Senate Bill No. 1656** to the Criminal Justice Committee and have this statement entered in the Journal: Rep. Todd.

REGULAR CALENDAR, CONTINUED

House Joint Resolution No. 718 -- Memorials, Death - Zaezion Dobson. by *Smith, *Armstrong, *Brooks H, *Kane, *Zachary, *Dunn, *Daniel, *Matlock, *Terry.

Further consideration of House Joint Resolution No. 718, previously considered on the Consent Calendar for March 28, 2016 at which time it was objected to, March 30, 2016 and April 6, 2016, at which time it was reset for today's Calendar.

Rep. Smith moved that all members voting aye on House Joint Resolution No. 718 be added as co-prime sponsors, which motion prevailed.

Rep. Smith moved adoption of **House Joint Resolution No. 718**, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van

Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1478** -- Sentencing - As introduced, punishes sixth offense DUI as a Class C felony; defines "prior convictions" for purposes of enhancing a DUI sentence; removes Class E felony designation for third or subsequent conviction for simple possession or casual exchange of a controlled substance; removes mandatory 24-hour litter removal requirement for first DUI offenders. - Amends TCA Title 39; Title 40 and Title 55. by *Lamberth, *Farmer, *Holsclaw, *Parkinson, *Butt, *Goins, *Hulsey, *Weaver, *Kumar, *Akbari, *Love, *Marsh, *Sanderson, *Rogers, *Hardaway, *DeBerry. (SB1572 by *McNally, *Bowling, *Dickerson, *Stevens, *Tate, *Haile)

Senate Amendment No. 2

AMEND House Bill No. 1478 by deleting from subdivision (e)(3)(B)(i) of the amendatory language of SECTION 11 the language "driving under the influence of an intoxicant under § 55-10-401,".

Senate Amendment No. 3

AMEND House Bill No. 1478 by deleting from subdivision (a)(1) of the amendatory language of SECTION 8 the language "driving under the influence of an intoxicant under § 55-10-401,".

Rep. Lamberth moved that the House concur in Senate Amendments Nos. 2 and 3 to **House Bill No. 1478**, which motion prevailed by the following vote:

Ayes	84
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick,

McDaniel, McManus, Miller, Moody, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 84

Representatives voting no were: Mitchell, Windle -- 2

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Littleton

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

***Senate Bill No. 1533** -- Sunset Laws - As introduced, terminates the Southern dairy compact, with no subsequent wind-down year. - Amends TCA Title 4, Chapter 29, Part 2 and Title 43, Chapter 35. by *Bell, *Beavers. (HB1585 by *Faison, *Ragan)

Rep. Faison moved that the House refuse to recede from its action in adopting House Amendment No. 1 to **Senate Bill No. 1533**, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 976** to be heard in the Government Operations Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 2638, 2662, 2663, 2664** and **2665** to be heard in the Local Government Committee next week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

3583

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Casada moved that **House Joint Resolution No. 894** be placed on the House Regular Calendar for April 11, 2016, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on motion to adopt **House Bill No. 1478** on March 31, 2016 and have this statement entered in the Journal: Rep. Mitchell.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 519 Rep. C. Sexton as prime sponsor.

House Bill No. 876 Rep. Ramsey as prime sponsor.

House Bill No. 1121 Rep. Turner as prime sponsor.

House Bill No. 1369 Rep. Hardaway as prime sponsor.

House Bill No. 1410 Rep. Ramsey as prime sponsor.

House Bill No. 1424 Rep. Todd as prime sponsor.

House Bill No. 1742 Reps. Gilmore and Favors as prime sponsors.

House Bill No. 2026 Rep. Hardaway as prime sponsor.

House Bill No. 2179 Rep. C. Sexton as prime sponsor.

House Bill No. 2436 Rep. Dunn as prime sponsor.

House Bill No. 2514 Rep. Gilmore as prime sponsor.

House Bill No. 2577 Rep. Dunn as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Pitts was removed as sponsor of **House Bill No. 2410**.

ENGROSSED BILLS

3584

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

April 7, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2473;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS

April 7, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1775;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

April 7, 2016

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 1426, 1447, 1509, 1529, 1539, 1540, 1542, 1545, 1546, 1555, 1557, 1716, 1918, 1932, 1941, 1964, 1992, 2159, 2190, 2261, 2443, 2568, 2575, 2593, 2632 and 2637; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

SIGNED

April 7, 2016

The Speaker announced that she had signed the following: House Bills Nos. 1472, 1556, 1679, 1826, 1888, 1897, 1989 and 2335.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 7, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 245, 247, 248, 250, 251 and 253; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 7, 2016

The Speaker announced that she had signed the following: House Resolutions Nos. 245, 247, 248, 250, 251 and 253.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 7, 2016

3585

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1830; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 7, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766, 767 and 851; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 7, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1738, 1962, 2249, 2303 and 2364; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1738** -- Racing and Motor Sports - As introduced, creates the state horse racing advisory committee to develop recommendations for legislation related to the establishment of horse racing in this state. - Amends TCA Title 4. by *Niceley. (HB2029 by *Faison, *Powell, *Miller, *Favors, *Towns)

Senate Bill No. 1962 -- Criminal Offenses - As introduced, makes various changes to the offense of stalking, including adding the use of a third party to contact or surveil the person to the definition of unsolicited contact. - Amends TCA Title 20, Chapter 14; Title 36, Chapter 3, Part 6 and Title 39. by *Yarbro, *Bowling, *Harris, *Ketron, *Briggs. (*HB1779 by *Coley, *Matlock, *Calfee, *Akbari, *Ragan, *Hill M, *Pitts, *Beck, *Lollar, *Hulsey, *Rogers, *Gilmore, *Goins, *Ramsey, *Hill T, *Weaver, *Hazlewood, *Hardaway)

Senate Bill No. 2249 -- Education - As introduced, permits each LEA and each school board for private schools to determine whether someone with a Tennessee-issued handgun carry permit may carry a handgun while on the property of the public or private school and while traveling on school functions with students. - Amends TCA Title 39 and Title 49, Chapter 6. by *Hensley. (*HB1751 by *Byrd, *Rogers)

Senate Bill No. 2303 -- Health Care - As introduced, requires hospitals, coroners, and medical examiners to report cases of maternal mortality to the department of health; requires the department to provide data on maternal mortality on its web site. - Amends TCA Title 68. by *Kyle. (*HB1757 by *Love)

Senate Bill No. 2364 -- Water Authorities - As introduced, sunsets the Hamilton County water and wastewater treatment authority created pursuant to this state's Water and Wastewater Treatment Authority Act, July 1, 2021. - Amends TCA Title 68, Chapter 221, Part 6. by *Watson. (*HB2381 by *Carter)

**ENGROSSED BILLS
April 7, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1477, 1776, 1911, 1981, 2032, 2116, 2576 and 2645; also House Joint Resolutions Nos. 718, 835, 836, 837, 838, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888 and 889.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 7, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2411; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 7, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2406; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 7, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2240; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 7, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1666; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 7, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1244; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 7, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 572, 573, 585, 686, 749, 750, 751, 752, 753, 754 and 764; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 7, 2016

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 207, 458, 615, 1416, 1537, 1602, 1686, 1764, 1789, 1872, 2037, 2095, 2176, 2573 and 2578; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 7, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 672; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 7, 2016

The Speaker announced that she had signed the following: Senate Joint Resolution No. 672.

JOE MCCORD, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 7, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 572, 573, 585, 686, 749, 750, 751, 752, 753, 754 and 764; for his action.

GREG GLASS, Chief Engrossing Clerk

REPORT OF CHIEF ENGROSSING CLERK

3588

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

April 7, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 207, 458, 615, 1416, 1537, 1602, 1657, 1686, 1764, 1789, 1872, 2037, 2068, 2095, 2176, 2573, 2578, 2625, 2636, 2641 and 2642; for his action.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 7, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766, 767 and 851; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 7, 2016

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766, 767 and 851.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 7, 2016

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1775, 2256, 2389, 2391, 2401, 2402, 2621, 2623, 2643, 2644, 2649, 2650, 2651 and 2653; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, 3589

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

RECESS

On motion of Rep. McCormick, the House stood in recess until 4:00 p.m., Monday, April 11, 2016.